



House of Representatives

General Assembly

File No. 486

February Session, 2006

House Bill No. 5612

House of Representatives, April 11, 2006

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE DEPARTMENT OF CORRECTION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2006*) For the fiscal year ending
2 June 30, 2007, and each fiscal year thereafter, the sum of \$350,000 from
3 revenue derived by the Department of Information Technology from
4 the contract for the provision of pay telephone service to inmates of
5 correctional facilities shall be transferred to the Department of
6 Correction, for Other Current Expenses, for expanding inmate
7 educational services and reentry program initiatives.

8 Sec. 2. Subsection (b) of section 53-341b of the 2006 supplement to
9 the general statutes is repealed and the following is substituted in lieu
10 thereof (*Effective July 1, 2006*):

11 (b) The provisions of subsection (a) of this section shall not apply to
12 the sale or delivery of body armor to (1) a sworn member or
13 authorized official of an organized local police department, the
14 Division of State Police within the Department of Public Safety, [or] the

15 Division of Criminal Justice, [to] the Department of Correction or the
 16 Board of Pardons and Paroles, (2) an authorized official of a
 17 municipality or the Department of Administrative Services that
 18 purchases body armor on behalf of an organized local police
 19 department, the Division of State Police within the Department of
 20 Public Safety, [or] the Division of Criminal Justice, [to] the Department
 21 of Correction or the Board of Pardons and Paroles, (3) an authorized
 22 official of the judicial branch who purchases body armor on behalf of a
 23 probation officer, or [to] (4) a member of the National Guard or the
 24 armed forces reserve.

25 Sec. 3. Subsection (b) of section 18-98d of the general statutes is
 26 repealed and the following is substituted in lieu thereof (*Effective July*
 27 *1, 2006*):

28 (b) In addition to any reduction allowed under subsection (a) of this
 29 section, if such person obeys the rules of the facility such person may
 30 receive a good conduct reduction of any portion of a fine not remitted
 31 or sentence not suspended at the rate of ten times the average daily
 32 cost of incarceration as determined by the Commissioner of Correction
 33 or ten days, [or five hundred dollars,] as the case may be, for each
 34 thirty days of presentence confinement; provided any day spent in
 35 presentence confinement by a person who has more than one
 36 information pending against such person may not be counted more
 37 than once in computing a good conduct reduction under this
 38 subsection.

39 Sec. 4. Sections 18-62 and 18-87m of the general statutes are
 40 repealed. (*Effective July 1, 2006*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2006</i>	New section
Sec. 2	<i>July 1, 2006</i>	53-341b(b)
Sec. 3	<i>July 1, 2006</i>	18-98d(b)
Sec. 4	<i>July 1, 2006</i>	Repealer section

JUD *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 07 \$	FY 08 \$
All	All Funds - Cost	See Below	See Below
Department of Information Technology	SF - Revenue Loss	350,000	350,000
Correction, Dept.	GF - Revenue Gain	350,000	350,000
Correction, Dept.	GF - Savings	Potential	Potential

Note: SF=Special Fund (Non-appropriated); GF=General Fund

Municipal Impact: None

Explanation

Section 1 of the bill results in an annual loss of \$350,000 beginning in FY 07 to the Technical Services Revolving Fund, and an increase in revenue to the Department of Correction (DOC). The Technical Services Revolving Fund is a non-appropriated Internal Service Fund, which receives most of its revenue from charges made to state agencies that utilize the department's information technology (IT) and computer services. The fund is used to support the State Data Center, to obtain IT services through private vendors through master contracts, and to operate and manage the centralization of executive branch IT personnel and systems. These revenues are used to offset the costs of information technology services provided to state agencies by the Department of Information Technology (DOIT). Loss of this revenue would result in increased charges to the agencies that utilize DOIT's IT services. The amount of the increase cannot be determined at this time and would vary agency by agency.

Section 2 of the bill clarifies that DOC and Parole staff can legally purchase body armor. This conforms statute to practice, and will not result in a fiscal impact.

Section 3 defines the value of presentence confinement credit as ten times the daily cost of incarceration. The revenue generated from the fines is negligible since several of the fines issued are never collected. Additionally, Section 3 results in potential savings, as the presentence credit reduces actual time served; each day in presentence confinement is a credit against the sentence of imprisonment. To the extent that inmates serve less time, a savings to the DOC will result. On average, it costs the state \$35,040 to incarcerate an offender (note this figure includes fringe benefits).

Section 4 repeals the mandate that men and women be housed separately, resulting in potential savings due to fewer restrictions on population management. Section 4 also repeals the Alternatives to Incarceration Advisory Committee, which will not result in a fiscal impact.

The Out Years

The transfer from the Technical Services Revolving Fund to the DOC would not be subject to inflationary increases, and would remain constant unless changed by statute. The potential savings to the DOC would be subject to inflationary increases, and would continue into the out years.

OLR Bill Analysis**HB 5612*****AN ACT CONCERNING THE DEPARTMENT OF CORRECTION.*****SUMMARY:**

This bill transfers, each fiscal year starting with FY 07, \$350,000 from the Department of Information Technology's revenue from the contract for pay phone services for inmates to the Department of Correction (DOC) account for Other Current Expenses to expand inmate educational services and reentry program initiatives.

It creates an exemption to the prohibition on direct sales of body armor for authorized officials of (1) DOC and the Board of Pardons and Paroles and (2) the Department of Administrative Services buying body armor on their behalf.

The law allows a good conduct reduction of a sentence or fine for a person who is confined for an offense or because he cannot obtain or was denied bail while awaiting sentencing. Under current law, the reduction is 10 days or \$500 for every 30 days of presentence confinement. The bill increases the amount of the reduction for a fine to 10 times the cost of incarceration as determined by DOC. By law, each day in presentence confinement is also a credit against the sentence of imprisonment and, for a fine, a credit at a per diem rate equal to the average daily cost of incarceration as DOC determines.

The bill repeals a statute that requires men and women to be confined and kept separately except at three facilities: the Hartell/DWI Correctional Unit and the Western Substance Abuse Treatment Unit, which no longer house inmates, and the Northeast Correction Center, which is now named the Bergin Correctional Institution and houses low security, adult male inmates. In those three facilities, current law requires separate housing and rehabilitative services including

substance abuse treatment that addresses the unique causes of addiction for men and women.

The bill repeals a statute creating an Alternatives to Incarceration Advisory Committee, which was established through June 30, 2005.

EFFECTIVE DATE: July 1, 2006

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 38 Nay 0 (03/27/2006)